

ASSEMBLY BILL

No. 1998

Introduced by Assembly Member Campos

February 16, 2016

An act to add Section 224.7 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1998, as introduced, Campos. Juveniles: data collection.

Existing law provides that the juvenile court and probation department have an affirmative and continuing duty to inquire whether a child for whom a petition to declare the child a ward of the court is to be, or has been, filed is or may be an Indian child if the child is at risk of entering foster care or is in foster care.

This bill would require the juvenile court, a juvenile detention facility, and a county probation department, when asking juveniles about their race, ethnicity, national origin, ancestry, or tribal affiliation in order to comply with federal data collection requirements, to collect additional data by using specified questions, including, among others, “Are you Hispanic or Latino?” By imposing new duties on local juvenile detention facilities and county probation departments, this bill would impose a state-mandated program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 224.7 is added to the Welfare and
2 Institutions Code, immediately following Section 224.6, to read:
3 224.7. The juvenile court, a juvenile detention facility, and a
4 county probation department, when asking a juvenile about his or
5 her race, ethnicity, national origin, ancestry, or tribal affiliation in
6 order to comply with federal data collection requirements, shall
7 collect data regarding the juvenile's race and ethnicity by asking
8 the juvenile all of the following questions:
9 (a) Are you Hispanic or Latino?
10 (b) Which of the following describes your race?
11 (1) American Indian or Alaska Native.
12 (2) Asian.
13 (3) Black or African American.
14 (4) Native Hawaiian or other Pacific Islander.
15 (5) White.
16 (c) What is your national origin, ancestry, or tribal affiliation,
17 if that population group or subgroup is not included in question
18 (a) or (b)?
19 SEC. 2. If the Commission on State Mandates determines that
20 this act contains costs mandated by the state, reimbursement to
21 local agencies and school districts for those costs shall be made
22 pursuant to Part 7 (commencing with Section 17500) of Division
23 4 of Title 2 of the Government Code.